

THIS INSTRUMENT PREPARED BY:
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**AMENDMENT NUMBER 1 TO THE AMENDED AND RESTATED
DEVELOPMENT ORDER**

**ORLANDO INTERNATIONAL AIRPORT DEVELOPMENT OF
REGIONAL IMPACT**

WHEREAS, the City of Orlando issued that certain Amended and Restated Development Order Orlando International Airport Development of Regional Impact on June 14, 1999 which is recorded at Official Records Book 5827, Page 444, Orange County, Florida (the “Development Order”); and

WHEREAS, the Greater Orlando Aviation Authority, a public body existing under the laws of the State of Florida (“Developer”), filed a non-substantial Notice of Proposed Change (“NOPC”) to the above previously approved Development Order relating to real property owned by the City of Orlando and operated by the Developer, which is located in the City of Orlando, Florida; and

WHEREAS, Developer has the authority to file the NOPC and obtain this Amendment Number 1 to the Development Order (the “Amendment”) with respect to the Property in accordance with Section 380.06, Florida Statutes; and

WHEREAS, through the filing of the NOPC, Developer is seeking minor revisions to the conditions relating to the South Terminal, removing the requirement for the East Airfield to be

joined to the DRI and updating the MAP H to reflect the current South Terminal and East Airfield status; and

WHEREAS, the City of Orlando has duly noticed and held all public hearings as required by Section 380.06, Florida Statutes; and

WHEREAS, the proposed NOPC is consistent with the City of Orlando Growth Management Plan (“GMP”) and the Orlando Land Development Code.

NOW, THEREFORE, IT IS HEREBY ORDERED AND RESOLVED by the City Council of the City of Orlando, Florida, that the Amendment Number 1 to the Development Order is approved pursuant to Section 380.06, Florida Statutes, subject to the following terms and conditions:

I. FINDINGS OF FACT

1. The Developer operates the Orlando International Airport on behalf of the City of Orlando, pursuant to that certain Amended and Restated Operation and Use Agreement dated August 31, 2015.

2. The Developer filed a NOPC to a previously approved Development Order on _____, 2016, pursuant to Section 380.06, Florida Statutes, seeking to revise conditions relating to the South Terminal design, remove the requirement to add the East Airfield to the Development Order and to update Map H.

3. The Developer has the authority to file the NOPC and obtain this Amendment Number 1 to the Development order with respect to the Property in accordance with Section 380.06, Florida Statutes, and no other person or legal entity except the City of Orlando has any interest in said property, but not limited to, rights arising out of a contract for sale for any portion of said property.

4. The property does not lie within an area of critical state concern.

5. All public hearings as required by Section 380.06, Florida Statutes, have been noticed and held.

II. CONCLUSIONS OF LAW

1. The revisions requested in this Amendment Number 1 to the Development Order are consistent with the City of Orlando Growth Management Plan and the City of Orlando Land Development Code.

2. The revisions requested in this Amendment Number 1 to the Development Order are consistent with the report and recommendation of staff.

3. Other than the amendments set forth in this Amendment Number 1 to the Development Order, the Development Order remains in full force and effect.

III. AMENDMENTS TO CONDITIONS

The following are the amendments to the Development Order:

1. **MAP H.** Map H, Exhibit “B” to the Development Order, is hereby deleted and replaced with Map H, Exhibit “B,” attached hereto.

2. **Condition 7.1** Condition 7.1 is hereby deleted and replaced with the following:

Total Acreage: Approximately 11,365 acres described in Exhibit “A” for the entire Orlando International Airport property.

3. **Condition 7.32** Condition 7.32 is hereby deleted and replaced with the following:

The Developer shall develop a Transportation Demand Management (TDM) program for the South Terminal Complex designed to achieve the percentage goals discussed in condition 7.40. The TDM program shall be submitted to the City and the ECFRPC prior to opening the South Terminal. The City and the ECFRPC shall conduct a sufficiency determination within thirty (30) days of the TDM program submittal or any requested re-submittals. No Certificate of Occupancy shall be issued for the South Terminal Complex until the TDM program is found sufficient and approved by the City. At a minimum, the TDM program shall consider the following:

(a) Parking management provisions, including parking pricing, parking allowances, and preferential parking in the parking garages (e.g., near building entrances, covered parking, etc.) for employees who carpool or vanpool;

(b) Publicize to tenants and employees that the Orlando International Airport Property is served by an existing ridesharing program operated by LYNX. Transit and current ridesharing information shall be prominently displayed in all public gathering areas, in employment centers, and in commercial center areas;

(c) Work hour adjustments: (1) compressed work weeks; (2) staggered work hours involving a shift in the set work hours of employees at OIA; and (3) flexible work hours involving individually determined work hours within guidelines established by the employer;

(d) Promotion and encouragement of telecommuting participation for employees whose job responsibilities permit working at home;

(e) Long term bicycle parking at all airport LYNX transit centers and at the intermodal terminal;

(f) Shower facilities in the South Terminal Complex shall be located convenient to LYNX transit centers at the airport for employees who bicycle to work, or who combine transit and bicycling to work by using the racks on the LYNX buses;

[ST]

4. **Condition 7.37** Condition 7.37 is hereby deleted and replaced with the following:

Prior to opening of South Terminal, the Developer shall provide a minimum of 40 carpool parking spaces distributed in preferential locations among the employee lots. The 40 spaces represent approximately 0.4% of the 1996 daily employee person trips. Since airport employees operate under various work shifts, it is anticipated that carpool parking spaces will be used throughout the day. Carpooling spaces shall be properly signed and shall be used with a carpooling parking permit only. The following minimum carpool parking requirements also shall apply:

Year	Carpool Parking Spaces	% of Employees
2010	60	0.4
2020	80	0.3

This allocation shall be increased should more be necessary to satisfy the demand. [ST]

5. **Condition 7.41** Condition 7.41 is hereby deleted and replaced with the following:

Intentionally Deleted.

6. **Condition 7.44** Condition 7.44 is hereby deleted and replaced with the following:

On-site accommodations shall be made, consistent with Conditions 7.29 and 7.30 of this Amended and Restated Development Order (Bus Service/Stops and On-site Circulator), to provide shuttle or bus access from the long term bike parking at the Intermodal Transit Facility to remote locations and the North and South landside terminals, as provided for in Condition 7.31 of this Amended and Restated Development Order. [ST]

7. **Condition 7.45** Condition 7.45 is hereby deleted and replaced with the following:

Prior to opening of South Terminal, the Developer shall provide a minimum of 40 bicycle parking spaces for employees who bicycle to work, or combine riding transit and bus to work by using the racks on the LYNX buses. In addition, the Developer shall provide a minimum of one bicycle rack (10 bicycle parking spaces) for visitors who choose to

ride/take transit and leave their bicycles at the airport. The bicycle lockers and racks shall be distributed throughout the airport at LYNX transit centers and the intermodal terminal.
[ST]

8. **Section VII. ANNUAL REPORT** Section VII. Annual Report is hereby retitled “BIENNIAL REPORT” and the first paragraph of Section VII is hereby deleted and replaced with the following:

The Developer shall submit a biennial report every other year following the effective date of this Amendment Number 1 to Development Order and throughout the term of this same. The biennial report shall be submitted on the appropriate form to the City, the ECFRPC, the DEO, and all affected permit agencies. The contents of the biennial report shall comply with the relevant conditions of approval of this Amendment Number 1 to the Development Order, Section 380.06(18), Florida Statutes, and Rule 73C-40.025, Florida Administrative Code, including the following:

IV. EFFECTIVE DATE

This Amendment Number 1 to the Development Order shall take effect upon transmittal via first class U.S. Mail to the East Central Florida Regional Planning Council and the Department of Economic Opportunity.

ADOPTED this ____ day of _____, 2017.

CITY OF ORLANDO, FLORIDA, a Florida municipal corporation

ATTEST:

By: _____

By: _____

Printed Name: Amy T. Iennaco

Printed Name: _____

Title: Interim City Clerk

Title: _____

[Official Seal]

Date: _____

APPROVED AS TO FORM AND LEGALITY FOR THE USE AND RELIANCE OF THE CITY OF ORLANDO, ONLY, THIS ____ DAY OF _____, 2017.

By: _____

Title: _____

Printed Name: _____

STATE OF FLORIDA
COUNTY OF ORANGE

Personally appeared before me, the undersigned authority, _____ and Amy T. Iennaco, well known to me to be the Mayor _____ and the Interim City Clerk, respectively, of the City of Orlando, and acknowledged before me that they executed the foregoing instrument on behalf of the City of Orlando, as its true act and deed, and that they were duly authorized so to do.

Witness my hand and official seal this ____ day of _____, 2017.

Notary Public

Print Name: _____

My commission expires: _____

EXHIBIT "B"
[MAP H]